

Settlement/Hearing: November 9th 2016
Time: 10:00 A.M. .

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 16-22905 RDD

PATRICIA WATERS CAMPBELL,

NOTICE OF SETTLEMENT

Debtor(s)

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PLEASE TAKE NOTICE, that an *Order*, a true copy of which is annexed hereto, will be presented for signature to the Hon. Robert D Drain, United States Bankruptcy Judge, on the 9th day of November, 2016 at 10:00 A.M. the United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York.

Hearings on Objections, if any, to be conducted same place, date and time.

Written objections or counterorders must be submitted to chambers by no later than close of business *three (3) days prior* to settlement.

Dated: White Plains, New York
October 3rd, 2016

/s/ Jeffrey L. Sapir
Jeffrey L. Sapir (JLS0938)
Chapter 13 Trustee
399 Knollwood Road
White Plains, New York 10603
Chapter 13 Tel. No. 914-328-6333

TO: United States Trustee
201 Varick Street #1006
New York, New York 10014

Patricia Waters Campbell
42 Pleasant Street
Darien, Connecticut 06820

Fnu Rashmi, Esq.
c/o E. Waters & Associate, PC
140 Grand Avenue #P-902
White Plains, New York 10601

Deutsche Bank National Trust Company
Ocwen Loan Servicing, LLC, Servicer
c/o Robertson Anschutz & Schneid, PL
6409 Congress Avenue # 100
Boca Raton, Florida 33487

Deutsche Bank National Trust Company
160 Farmington Avenue
Farmington, Connecticut 06032

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 16-22905 RDD

PATRICIA WATERS CAMPBELL,

Debtor(s)
-----X

ORDER DISMISSING CHAPTER 13 CASE

The trustee having moved, on due notice, for an order dismissing this chapter 13 case, and, upon the motion and the record of the November 9, 2016 hearing thereon, the Court having found that the above-captioned debtor has failed to comply with 11 U.S.C. §1307(c)(1) and (c)(4) and 11 U.S.C. §521(i), having created unreasonable delay that is prejudicial to creditors in that the debtor failed to failed to remit timely proposed chapter 13 plan payments to the trustee, failed to provide the required documentation, in part, payment advices and evidence of other payments received within 60 days, inclusive of monthly business operating statements;, and the Court also having found that the debtor's chapter 13 plan is not feasible and that the debtor is unable to confirm a plan, and further, pursuant to §109(e) for failure to qualify under chapter 13; and good cause appearing,

IT IS ORDERED THAT:

This chapter 13 case is hereby dismissed. The chapter 13 trustee shall take all actions required by the dismissal of this case.

Dated: White Plains, New York
November , 2016

UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 16-22905 RDD

PATRICIA WATERS CAMPBELL,

TRUSTEE'S AFFIDAVIT

Debtor(s)

-----X

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

Jeffrey L. Sapir, being duly sworn, deposes and says:

1. He is the standing Chapter 13 Trustee.
2. The debtor filed a Chapter 13 proceeding on July 1st, 2016.
3. A hearing on confirmation was held on September 21st. 2016.
4. The debtor failed to comply with the provisions of 11 U.S.C. §1307(c)(1);
and (c)(4).
5. The debtor is in violation of 11 U.S.C. §521(i) of the Bankruptcy Code which
requires the debtor to file in part, payment advices and evidence of other payments received within
60 days, inclusive of monthly business operating statements.
6. The debtor failed to remit timely proposed plan payments to the trustee,
having remitted -0- payments, and being, at this juncture, three months in arrears.
8. Loss mitigation has been requested but to date no order has been entered.
9. The debtor needs to amend the plan and serve same upon creditors.
10. The debtor fails to qualify under Chapter 13 pursuant to §109(e) on the
ground that the debtor's secured debt at \$1,230,572.26 exceeds the \$1,149,525.00 limitation.

11. At the aforesaid confirmation hearing held on September 21st, 2016, the debtor's case demonstrated infeasibility, an inability to confirm and failure to qualify.

12. The delay created by the debtor is prejudicial to creditors.

WHEREFORE, the trustee respectfully requests that the annexed order dismissing this case be signed.

/s/ Jeffrey L. Sapir
Jeffrey L. Sapir

Sworn to before me this
3rd day of October, 2016
/s/ Jody L. Kava

Jody L. Kava
Notary Public, State of New York
No. 02KA4836806
Qualified in Westchester County
Term Expires: 10/31/17

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13

Case No. 16-22905 RDD

PATRICIA WATERS CAMPBELL,

Debtor(s)

-----X

AFFIDAVIT OF MAILING

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

Lois Rosemarie Esposito, being duly sworn, deposes and says:

I am not a party to the action herein, I am over the age of 18 years and reside in the County of Westchester, State of New York. On October 3rd, 2016, I served a true copy of the within document, to the herein listed parties at the address(es) designated for that purpose, by mailing same in a properly sealed envelope with postage prepaid thereon, in an official depository of the United States Postal Service within the State of New York to the following:

TO: United States Trustee
201 Varick Street # 1006
New York, New York 10014

Patricia Waters Campbell
42 Pleasant Street
Darien, Connecticut 06820

Fnu Rashmi, Esq.
c/o E. Waters & Associate, PC
140 Grand Avenue #P-902
White Plains, New York 10601

Deutsche Bank National Trust Company
Ocwen Loan Servicing, LLC, Servicer
c/o Robertson Anschutz & Schneid, PL
6409 Congress Avenue # 100
Boca Raton, Florida 33487

Deutsche Bank National Trust Company
160 Farmington Avenue
Farmington, Connecticut 06032

/s/ Lois Rosemarie Esposito
Lois Rosemarie Esposito

Sworn to before me this
3rd day of October, 2016

/s/ Jeffrey L. Sapir
Jeffrey L. Sapir
Notary Public, State of New York
No.02SA8764500
Qualified in Rockland County
Term Expires: 12/31/18